

REMARKS

Claims 5-6 are pending in this application. By this Amendment, claims 1-3 and 7 are canceled. No new matter is added by this Amendment.

Entry of the amendments is proper under 37 C.F.R. §1.116 because the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments merely cancel the rejected claims); (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Interview

The courtesies extended to Applicants' representative by Examiner Song at the interview held February 20, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

II. Rejection Under 35 U.S.C. §112, First Paragraph

Claim 7 was rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement. Although Applicants respectfully disagree with the Patent Office's conclusion, Applicants have canceled claim 7. Applicants thus submit that the 35 U.S.C. §112, first paragraph rejection is moot.

Withdrawal of the rejection is respectfully requested.

III. Rejection Under 35 U.S.C. §102(b)

Claim 1 was rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,053,973 ("Tanino '973"). Applicants respectfully traverse this rejection.

Although Applicants respectfully disagree with the Patent Office's conclusion, Applicants have canceled claim 1. Applicants thus submit that the 35 U.S.C. §102(b) rejection is moot.

Withdrawal of the rejection is respectfully requested.

IV. Rejections Under 35 U.S.C. §103(a)

Claim 2 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Tanino '973 in view of U.S. Patent No. 5,674,320 ("Kordina").

Claim 3 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Tanino '973 in view of U.S. Patent No. 6,153,165 ("Tanino '165"). Applicants respectfully traverse these rejections.

Although Applicants respectfully disagree with the Patent Office's conclusions, Applicants have canceled claims 2 and 3. Applicants thus submit that the 35 U.S.C. §103(a) rejections are moot.

Withdrawal of the rejections is respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 5-6 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jeremy D. Tillman
Registration No. 62,639

JAO:JDT/hs

Date: February 24, 2009

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--